



STATE OF UTAH
NATURAL RESOURCES
Water Rights

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Robert L. Morgan, State Engineer

Southwestern Area • 585 N. Main Street • P.O. Box 506 • Cedar City, UT 84720-0506 • 801-586-4231

November 7, 1988

RECEIVED

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WATER RIGHTS
SALT LAKE

Ray Thomas Enterprises, Inc.
P. O. Box 2100
Santa Barbara, CA 93120

Re: Escalante Valley Water Rights

Dear Mr. Thomas:

Over the past several years we have had a situation develop that is causing the Division of Water Rights some concern. There have been numerous change applications filed, either in the name of RTE or the individual, and development has taken place under the approved application. The well has been drilled, developed and there is evidence in some instances where the water has been used for various purposes.

The situation arises where the water right reverts back to RTE where for various reasons the change application is either withdrawn or lapses. We now have a well developed, in some cases equipped and the water right no longer exists at that location. The following change applications are examples of this situation:

- 71-1193 (a7116) - well drilled but capped.
- 71-1193 (a7173) - well drilled but capped.
- 71-1193 (a7614) - well drilled, equipped with some use.
- 71-1193 (a7704) - well drilled, equipped (locked well house)
- 71-1193 (a7818) - well drilled but capped.
- 71-3488 (a10886) - well drilled, some activity at location.

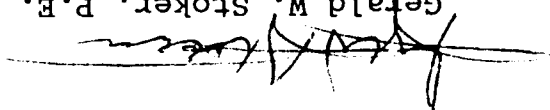
There are probably others but these surfaced through other activities. What this really means is that we have illegal wells developed at each of the sites described under the above change applications and, perhaps, illegal uses taking place. This letter must, therefore, serve as an official notice that any attempt to make use of the subject wells would be a violation of Utah Water Law and action would be taken against the owner of record, Ray Thomas Enterprises, Inc. Further, if water rights cannot be established at the well sites then it would become necessary to plug or fill in the drilled wells from bottom to top under an abandonment program.

We trust that you will make every effort to take care of this situation by either plugging the well or transferring a water right into those particular locations. This is an important matter and we would expect a reply as soon as you can reasonably respond to this request.

Ray Thomas Enterprises, Inc.
November 7, 1988
Page 2

If you have any questions on this matter or if we can assist you in determining your alternatives please contact our office in Cedar city.

Yours truly,


Gerald W. Stoker, P.E.
Area Engineer/Manager

cc: Kent L. Jones, Appropriations Engineer
Lee Sim, Distribution Engineer